

ORRICK, HERRINGTON & SUTCLIFFE LLP  
666 FIFTH AVENUE  
NEW YORK, NEW YORK 10103-0001  
tel +1-212-506-5000  
fax +1-212-506-5151  
WWW.ORRICK.COM

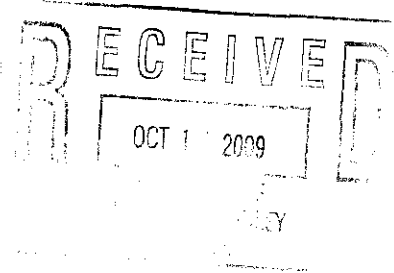
October 13, 2009

Paul R. Gupta  
212-506-5151  
pgupta@orrick.com

**BY HAND**

The Honorable William H. Pauley, III  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: AOL LLC, et al. v. Yahoo! Inc., et al.  
09 Civ. 3774 (WHP)



Dear Judge Pauley:

We are counsel to Plaintiffs AOL LLC ("AOL"), Platform-A Inc. ("Platform-A"), and Quigo Technologies LLC ("Quigo") (collectively, "Plaintiffs") in the above-referenced action. We write, with the support and consent of Charles M. McMahon, counsel for the defendants Yahoo! Inc. and Overture Services Inc. (collectively, "Defendants"), to respectfully request a two week adjournment of the Initial Pretrial Conference currently scheduled for October 23, 2009. The parties are currently engaged in ongoing settlement discussions, as well as complying with the Order for Initial Pretrial Conference (the Rule 26(f) report is currently due this Friday). We believe that an additional two weeks would facilitate continued dialog between the parties as they seek to resolve the dispute between them, as well as provide counsel with additional time fully to complete the Rule 26(f) report.

The parties have made two prior requests to adjourn the pretrial conference due to the fact that the Complaint in the action was not going to be served until after the initial case conference was initially scheduled, and because of settlement discussions. We suggest Friday, November 6, or Friday, November 13, as potential dates for the Initial Pretrial Conference in this case. We will not seek any further adjournments.

Thank you for your consideration of these matters.

Respectfully,

ORRICK, HERRINGTON & SUTCLIFFE LLP  
Attorneys for Plaintiffs AOL LLC, Platform-A Inc.,  
and Quigo Technologies LLC

By:   
Paul R. Gupta

*Application granted  
This Court will hold the  
conference on November 6, 2009  
SO ORDERED: at 10:30 a.m.*

WILLIAM H. PAULEY III U.S.D.J.  
10/16/2009

cc: Charles M. McMahon, Esq. (by e-mail)